

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

.)	
)	
MARIAH I. FOY,)	
Plaintiff,)	
)	
V.)	Civil Action No. 4:05cv148TSL-JCS
)	
JO ANNE B. BARNHART,)	
Commissioner of Social)	
Security Administration,)	
Defendant.)	
.)	

ORDER

This matter is before the Court *sua sponte* for the failure of the Plaintiff to respond to the Magistrate's Order to Show Cause entered herein on or about April 20, 2006 (Doc. No. 2), that required counsel for the Plaintiff to explain to the Court on or before May 30, 2006, why service of the summons and complaint had not been completed pursuant to Rule 4(m) of the Federal Rules of Civil Procedure. The Order to Show Cause provided alternatively that the Plaintiff have process effected and notify the Court that same had been completed on or before May 30, 2006, and failure to do so could result in the dismissal of this cause without further notice. Inasmuch as the Plaintiff has not complied with the Order to Show Cause, the Court finds that this matter should be dismissed without prejudice. A separate judgment will be entered herein in accordance with this Order as required by Rule 58 of the Federal Rules of Civil Procedure.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the above-captioned cause be, and the same is hereby, dismissed without prejudice.

SO ORDERED this the 14th day of August, 2006.

- /s/ Tom S. Lee
UNITED STATES DISTRICT JUDGE